

Refugee Rights
Litigation Project



Identification Cards for Refugee Children in Thailand

by Refugee Rights Litigation Project - RRLP



Get to Know RRLP

“RRLP” refers to the “Refugee Rights Litigation Project”. This project provides free-of-charge legal assistance to refugees residing in Thailand. In addition, there is a sub-project that offers assistance in matters of legal status of child refugees, particularly focusing on children born in Thailand and those currently attending education institutions in the country.

Child refugees are unable to return to their country of origin, similar to adult refugees. Although some children possess proper immigration documents, the majority reside in Thailand without permission. Some entered Thailand unlawfully, while others may overstay their visa. Consequently, child refugees are often the first group to encounter issues

related to ‘legal status’.

It is admitted that issues regarding legal status can be resolved according to Thailand’s civil registration laws, nationality laws, and immigration laws. Therefore, the project has undertaken efforts to address these issues by providing legal assistance in the following matters:

- **Birth registration**
- **Rectification of birth certificate**
- **Residence registration**
- **Application for identification cards for individuals without registration status, such as children of refugees born in Thailand while their parents have an unlawful immigration status.**
- **Application for identification cards for individuals who are not Thai nationals, such as children of refugees born in Thailand while their father and/or mother have lawful immigration status.**



What is “Matters of Legal Status”?

“Legal status” refers to the rights and responsibilities of a person in a family and in a state, as defined by the laws of the nation where the person resides. Legal status identifies distinctions and capabilities of each person, in exercising rights and fulfilling legal obligations according to rules and laws of each country.

Therefore ‘matters of legal status’ refers to challenges related to the subsistence and living of a person within the society. Typically, these matters pertain to aliens who encounter difficulties or limitations in accessing rights or services offered by the country they reside in.

For instance, the lack of civil registration evidence or identity verification documents from the country they reside results in limitations to access to healthcare, higher education, travel rights, the ability to conduct various transactions, and the right to work, among others.



Why a Person Needs an Identification Card of Person Without Registration Status or a Non-Thai Identification Card

To have an identification card is to recognize a person by issuing a document to identify that person. This allows the holder of an identification card of person without registration status or a non-Thai identification card to access rights and services provided by the Thai government.

Furthermore, having identification cards also contributes to the future development of essential rights for subsistence and living when policies or laws are introduced to support a person facing issues regarding status and rights in Thailand. For example, this may encompass the ability to apply for the recognition of Thai citizenship, apply for work permits, and access comprehensive healthcare, etc.

Similarities and Differences of The Rights Granted Between Holders of Identification Card of Person Without Registration Status and Non-Thai Identification Card

Identification Card of Person Without Registration Status		Non-Thai Identification Card	
Group 0-89	Group 0-00	Group 7	Group 00
<p>People who had been surveyed under the strategy for managing the issues of legal status and rights of persons in 2005 (the survey is discontinued) were categorised into 6 groups. Since the 5th and the 6th groups are still under review due to national security concerns, priority is given to resolving issues for the first 4 groups as follows:</p> <ul style="list-style-type: none"> Ethnic group missing from the survey Group of students Group of “rootless person”¹ Group of people contributing to the country 	<p>The group of people who have been provided with civil registration record and identification card in accordance with the Civil Registration Act (No. 2) B.E. 2551 section 38 paragraph 2 and birth registration as follows:</p> <ul style="list-style-type: none"> Group of aliens born in Thailand whose parents do not have permanent residence in Thailand will be provided with the card, due to having a birth certificate, when reach the age of 5. Group of students, Group G (born outside Thailand) Group of aliens who have no document from the country of origin (born outside Thailand) 	<p>The group of children born in Thailand from</p> <ul style="list-style-type: none"> father or mother from an ethnic group who has been provided with civil registration record and acquired identification card with the initial digit 6. father or mother who entered the country legally and visa was still valid when the child was born. father or mother is a migrant worker from Myanmar, Laos, or Cambodia, whose nationality has been verified, acquired legal immigration status and visa was still valid when the child was born before 29 January 2018. 	<p>The group of migrant workers who have been provided with alien registration record and permitted to stay in the Kingdom in special circumstances Tor.Ror. 38/1 from 2004 until today. The workers themselves, a companion who has been provided with civil registration record, and a child of the worker who was born in Thailand and has been given the birth notification and birth certificate shall obtain identification number with the initial digits 00.</p>
Accessible Rights		Accessible Rights	
Right to stay in Thailand under the announcement of the Ministry of Interior	<ul style="list-style-type: none"> Right to stay in Thailand (if born in Thailand) in accordance with the ministerial regulation by virtue of Section 7 bis paragraph 3 of the Nationality Act (No. 4) B.E. 2551 No right to stay (if born outside Thailand) owing to no country of origin available, therefore the person is <u>treated as if they have the right to stay.</u> 	Right to stay in Thailand in accordance with the ministerial regulation by virtue of Section 7 bis paragraph 3 of the Nationality Act (No. 4) B.E. 2551	<ul style="list-style-type: none"> Right to stay in Thailand under the announcement of the Ministry of Interior If born in Thailand, has the right to stay in Thailand in accordance with the ministerial regulation by virtue of Section 7 bis paragraph 3 of the Nationality Act (No. 4) B.E. 2551
Right to access fundamental education	Right to access fundamental education	Right to access fundamental education	Right to access fundamental education
Right to access health insurance coverage under the person with status and rights issues health insurance fund without having to purchase health insurance.	Right to access health insurance coverage as per the <u>cabinet resolution on 26 January 2021 of the Office of the National Security Council</u> which is the person with status and rights issues health insurance fund without having to purchase health insurance.	<p>Right to access health insurance coverage by purchasing health insurance from the Ministry of Public Health or insurance companies.</p> <p>Except for the child born from a father or mother from an ethnic group who has been provided with civil registration record and acquired 13-digit identification number with the initial digit 6.</p>	Right to access health insurance coverage by purchasing health insurance from the Ministry of Public Health or insurance companies.

¹ A person whose parents cannot be identified or who has been abandoned at a young age, lacks civil registration documents and a national identification number, was born in Thailand (without specifying the date of birth) or is an alien residing in Thailand before 18 January 2005.

Identification Card of Person Without Registration Status

Non-Thai Identification Card

Group 0-89

Group 0-00

Group 7

Group 00

Accessible Rights

Accessible Rights

Right to travel (permission from the relevant offices required)

In case of travelling out of Bangkok area, the request needs to be submitted to the director of Internal Security Affairs Bureau, Department of Provincial Administration.

In case of travelling to other provinces, the request needs to be submitted to the district chiefs, where the applicant resides.

◆ Right to travel for the child born in Thailand (permission required)

In case of travelling out of Bangkok area, the request needs to be submitted to the director of Internal Security Affairs Bureau, Department of Provincial Administration.

In case of travelling to other provinces, the request needs to be submitted to the district chiefs, where the applicant resides.

◆ **In theory**, Group G students or children born outside Thailand who are currently enrolled in school but have not been provided with civil registration record and identification card **do not have the right to travel out of the designated area.**

(**In practice, the request for permission to travel out of the area is still subjected to limitations but there could be some exceptions prescribed by laws because of a necessity to travel outside the residing area, for example, to go to court, for medical treatment.)

Right to travel (permission from the relevant offices required)

In case of travelling out of Bangkok area, the request needs to be submitted to the director of Internal Security Affairs Bureau, Department of Provincial Administration.

In case of travelling to other provinces, the request needs to be submitted to the district chiefs, where the applicant resides.

Right to travel (permission from the relevant offices required)

If a child of migrant workers born in Thailand, would like to travel out of Bangkok area, the request needs to be submitted to the director of Internal Security Affairs Bureau, Department of Provincial Administration.

In case of travelling to other provinces, the request needs to be submitted to the district chiefs, where the applicant resides.

Right to justice

Right to justice

Right to justice

Right to justice

Right to be compensated by the state in case of being a victim in criminal cases.

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Freedom of association

Freedom of association

Freedom of association

Freedom of association

Right to work

- Foreigners' Working Management Emergency Decree B.E. 2560

Right to work

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Right to work

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Right to be protected under Labour law

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Right to enhance legal status, if the criteria and conditions stipulated by the law are met, for example, applying for Thai citizenship or work permits, among others.

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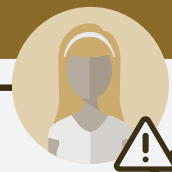
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Who is a Person Without Registration Status?



“Unregistered person” or **“person without registration status”** means a person residing in Thailand and is not listed in the household registration or other civil registration documents with a 13-digit identification number, as per the civil registration law of Thailand. Therefore, their legal status of the right to nationality cannot be verified or they may have been verified as aliens but cannot be repatriated for particular reasons.





Who is a non-Thai citizen?

Regulation of the Central Registration Bureau on the Issuing of Non-Thai Identification Card B.E. 2562 categorised non-Thai citizens as follows:

“Non-Thai citizen” is

(1) An alien who is permitted to have a domicile in the Kingdom and their child who was born in the Kingdom and has not acquired Thai nationality by birth. (The group that obtains Certificate of Residence, Alien Identification Certificate)

(2) An alien who is permitted to stay in the Kingdom temporarily in special instances and their child who was born in the Kingdom and has not acquired Thai nationality by birth. (The ethnic group and the group of persons without registration status: group number 0-89)

(3) An alien who is permitted to stay in the Kingdom temporarily and their child who was born in the Kingdom and

has not acquired Thai nationality by birth. (The group that possess travel document)

(4) An alien who stays in the Kingdom illegally and their child who was born in the Kingdom and has not acquired Thai nationality by birth. (The group of persons without registration status: group number 0-00, 0-75)

(5) Persons whom the registrar cannot register birth notifications or add names to the household registration due to the inability to verify the birth status and nationality. The registrar therefore provides civil registration record according to the regulations of the Central Registration Bureau on the creation of civil registration record for persons without registration status. (Group of persons under Section 38 paragraph 2, Group 0 General, persons omitted from registration)

Therefore, there are 2 types of alien identification cards, namely, Identification Card of Person Without Registration Status and Non-Thai Identification Card. These two types of cards differ only in terms of immigration status and residence in Thailand. If the qualifications specified by the law are met, the person is eligible to apply for the cards.



What is an Identification Card of Person Without Registration Status or Card Number 0?

The card issued to aliens born in Thailand whose parents entered and reside illegally or from being recorded as a Person Without Registration Status. This card serves as a certification document or identity verification while awaiting the determination of their legal status or pending deportation. For instance, an alien with a civil registration record type Tor.Ror. 38 Gor or Tor.Ror. 38 Khor.



Key information

Here are RRLP's the frequently found types of Identification Card of Person Without Registration Status

Group 1: Individuals with identification numbers starting with '0' and the 6th and 7th digits are '89', according to the "Regulation of the Central Registration Bureau on the Survey and Registration Provision for Persons Without Registration Status B.E. 2548" (Currently, there is no ongoing survey). This includes groups such as ethnic groups missing from the survey, group of students, group of rootless persons, and group of people contributing to the country that were surveyed during that time.

Group 2: Individuals with identification numbers starting with '0' and the 6th and 7th digits are '00', according to the Civil Registration Act (No. 3) B.E. 2562 such as aliens born in Thailand who have reached the age of 5, student groups: Group G (born outside Thailand), and groups of aliens without documentation from the country of origin, the provision of identification cards for these groups is still ongoing.



What is a Non-Thai Identification Card?

“**Non-Thai Identification Card**” is the card issued to non-Thai citizens or aliens who are permitted to reside in Thailand as follows:

- (1) Aliens with household registration type Tor.Ror. 14, which is a permanent residency household registration granted to aliens who are permitted to enter the country legally and have the right to permanent residency in Thailand.
- (2) Aliens with household registration type Tor.Ror. 13, which is a household registration for aliens who have been granted temporary stay in Thailand, regardless of legal immigration status.
- (3) Aliens with civil registration record type Tor.Ror. 38/1, which is a civil registration record for aliens who presented themselves as migrant workers from Laos, Myanmar, Cambodia, and Vietnam.



Key information

“**Non-Thai Identification Card**” shall have identification numbers starting with ‘6’, ‘7’ or ‘00’.

- ◆ **The identification number starts with ‘6’** is (1) aliens who entered the country illegally such as ethnic/minority groups along the borders or hill tribes who have been granted permission to continue residing. (2) Aliens who legally entered the country but stay temporarily, such as aliens entered Thailand with passports of their country and have requested to be included in the household registration.
- ◆ **The identification number starts with ‘7’** refers to children of aliens with the initial digit 6, who were born in Thailand. It also includes children of aliens born in Thailand, whose fathers or mothers have been granted temporary stay in the country.
- ◆ **The identification number starts with ‘00’** is registered migrant workers who are illegal migrants from Cambodia, Laos, Myanmar, and Vietnam. They have been provided with civil registration record and work permit. This includes companions who were born in Thailand or entered Thailand.

Note: An Identification Card of Person Without Registration Status or a Non-Thai Identification Card is

- not National ID Card or Thai ID Card, having this card does not mean that the cardholder is a Thai national.
- simply a card used to certify a person’s identity or to serve as identity verification.
- valid for 10 years. If it expires, the renewal needs to be done at the registration office specified on the card.
- The cardholder must stay within the area specified on the card and is prohibited from travelling outside the designated area where the card was issued unless received permission. However, this does not include aliens who hold passport with valid visa.



Who is eligible to apply for the Identification Card of Person Without Registration Status (Number 0 Card) or Non-Thai Identification Card (Pink Card)?

- 1. Aliens born in Thailand whose parents do not have permanent residence**
- 2. Aliens born outside Thailand and currently attending school (Group G Students)**
<No documents from the country of origin that indicate citizenship or nationality of another country such as travel documents or Certificate of Identity, etc.>
- 3. Aliens born outside Thailand, do not attend school and possess no documentation from the country of origin.**





Are Refugees Allowed to Apply for The Cards by Themselves?

Refugees, who are a type of alien in Thailand, can personally proceed to apply for an identification card, with documents and grantors as follows:

Refugees **born in Thailand** who have reached the age of 5, currently attending school/not attending school, are required to present the following documents:

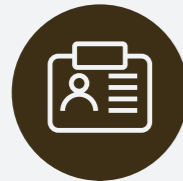
- Birth certificate (original)
- Student certificate with a student photo attached (original) *for those currently attending school
- UNHCR cards of the whole family (original)
- National ID card of the grantor (original)

Refugees **born outside Thailand** who are currently attending school, are required to present the following documents:

- Student certificate with a student photo attached (original)
- Copy of student card, certified true copy (if any)
- Copy of UNHCR cards of the whole family, certified true copy
- Survey Form for Provision of Civil Registration for Persons Without Registration Status (Form 89)
- Witnesses *at least 2 people (depends on the discretion of the competent officer to call witness)

If documents are complete and meet the specified criteria and requirements, the application can be filed by refugees. However, if the documents are not complete as required, the necessary documents shall be prepared prior to the application. Please refer to the table below for further details.

Things That Need to be Prepared for Identification Card Application



A child born in Thailand who has reached the age of 5	A child born outside Thailand who is currently attending school	A child born outside Thailand who is not currently attending school/ possesses no documentation
-------------------------------------------------------	-----------------------------------------------------------------	-------------------------------------------------------------------------------------------------



What to be Prepared

- ◆ Birth certificate (original)
- ◆ Student certificate with a student photo attached (original) *for those currently attending school
- ◆ UNHCR cards of the whole family (original)
- ◆ National ID card of the grantor (original)

- ◆ Student certificate with a student photo attached (original)
- ◆ Copy of student card, certified true copy (if any)
- ◆ Copy of UNHCR cards of the whole family, certified true copy
- ◆ Survey Form for Provision of Civil Registration for Persons Without Registration Status (Form 89)
- ◆ Witnesses such as father, mother, teacher, community leader, village chief, householder, or officers in charge, etc.

- ◆ Copy of UNHCR cards of the whole family, certified true copy (if any)
- ◆ Witnesses such as father, mother, community leader, village chief, householder, or officers in charge, etc.



Place of Application

Registration office specified in the birth certificate or where the birth certificate was issued.
Except for receiving 13-digit number starting with '7' at birth notification. The application shall be filed at the local registration office where the refugee resides, after the name was removed from Central Household Registration.

Registration office at the district where the education institution/school is located.

Local registration office where the refugee resides.



Duration

- ◆ Document verification by RRLP takes 1 - 2 working days.
- ◆ A student certification request normally takes 3 - 7 working days.
- ◆ Application for the card can be finished within 1 working day.

- ◆ Document verification by RRLP takes 1 - 2 working days.
- ◆ A student certification request normally takes 3 - 7 working days.
- ◆ Preparation of the information and documents takes 7 - 14 working days.
- ◆ The registrar provides civil registration record within 3 months (90 days)
- ◆ Verification of documents and hearing of witnesses by the registrar in accordance with Form 89 usually takes 1 - 2 months.
- ◆ Request for photoshoot for the card within 1 month after witness examination (In case no problems identified)

This case has never been experienced by RRLP, therefore, the specific duration cannot be examined.

***If there are problems identified, the duration shall be extended to 2 - 5 months or more, depending on the case.

Benefits for Identification Card Holders

1. Access to healthcare services without charges for those who were categorised as Group 0-89 or Group 0-00, while Group 7 and Group 00 can gain access by purchasing health insurance. (Healthcare rights)
2. Access to education rights, namely the right to study until completing a bachelor's degree or higher level of education and acquire educational qualification.
3. Ability to travel across provinces but subjected to permission in essential cases (for children born in Thailand or children born outside Thailand who are currently attending school).
4. Ability to open a bank account using the required documents specified by the respective banks.
5. Eligible to apply for a work permit.
6. Capable of engaging in transactions or juristic acts that require 13-digit identification number for verification.
7. Eligible to be listed as a Thai citizen according to the conditions outlined by the law, exclusively for children born in Thailand.



Please do not hesitate to contact RRLP should you need more guidance on the matters indicated below:

1. Problems related to birth registration, such as medical facilities refusing to issue the delivery certificate (Tor.Ror. 1/1).
2. A child is born in Thailand but is denied a birth certificate.
3. Inaccurate information in the birth certificate, such as incorrect name recording.
4. A child, born in Thailand, who has reached the age of 5, wants to apply for an identification card but does not know how to start.
5. A child possesses Identification Card of Person Without Registration Status or Non-Thai Identification Card but fails to exercise the rights enabled by the card.

Contact RRLP



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